



MEETING OF THE  
TRANSPORTATION AUTHORITY OF MARIN  
TAM

THURSDAY, February 22, 2007  
7:00 PM

ROOM 330  
MARIN COUNTY CIVIC CENTER  
3501 CIVIC CENTER DRIVE  
SAN RAFAEL, CALIFORNIA

**MEETING MINUTES**

Members Present: Steve Kinsey, Chair, Marin County Board of Supervisors  
Al Boro, Vice Chair, City of San Rafael  
Judy Arnold, Marin County Board of Supervisors  
Charles McGlashan, Marin County Board of Supervisors  
Amy Belser, Sausalito City Council  
Thomas Cromwell, Belvedere City Council  
Alice Fredericks, Tiburon Town Council  
Melissa Gill, Corte Madera Town Council  
Carole Dillon-Knutson, Novato City Council  
Joan Lundstrom, Larkspur City Council  
Mary Ann Maggiore, Town of Fairfax  
Michael Skall, Ross Town Council  
Dick Swanson, Mill Valley City Council  
Barbara Thornton, Alternate, San Anselmo City Council

Members Absent: Hal Brown, Marin County Board of Supervisors  
Susan Adams, Marin County Board of Supervisors  
Peter Breen, San Anselmo City Council

Staff Members Present: Dianne Steinhauser, TAM Executive Director  
David Chan, TAM Programming Manager  
Li Zhang, TAM Finance Director  
Tho Do, Marin DPW Associate Civil Engineer  
Jessica Woods, TAM Recording Secretary

*Chair Kinsey called the Transportation Authority of Marin Meeting to order at 7:14 p.m.*

**1. Chair Reports**

Chair Kinsey reported that the Executive Committee is pleased to have Commissioner Dillon-Knutson and Commissioner McGlashan join the Executive Committee. He then noted that Executive Committee meetings are open to the public and all are welcome to attend.

Chair Kinsey added that tonight TAM will hear about the trials and tribulations of the congestion management infrastructure bond, and he wanted to thank ED Steinhauser and the entire TAM staff, but especially ED Steinhauser for all her efforts. Also, regardless of the outcome, he is pleased that staff is working hard to stay in the game in a very competitive environment, and he particularly appreciated ED Steinhauser's efforts and her staff.

**2. Commissioner Matters not on the Agenda - None**

### 3. Executive Director's Report

ED Steinhauser announced that a Board workshop is scheduled for April 7<sup>th</sup>, 2007 from 9 a.m. to 1 or 2 p.m. They will discuss TAM's future roles, an expanded planning effort beyond the current congestion management plan, future staffing structure as well as other items of interest. She then provided TAM with an Executive Director's Report for their review that included the following:

- Federal – No report
- State
  - Corridor Mobility Improvement Account (CMIA)
    - Letter from Governor Arnold Schwarzenegger in regard to CTC
    - Summary Analysis of Recommended Projects
    - Letter in support from Carole Migden, Senator, 3<sup>rd</sup> District in regard to CTC
  - FY 2007/2008 State Budget
- Local
  - Street Smarts Program Implementation
  - Bike and Pedestrian Plan Updates
  - Gap Closure Public Outreach Effort

ED Steinhauser attended a special CTC meeting and TAM was well represented by former Supervisor Cynthia Murray who provided testimony. Staff is hopeful that the Marin Sonoma Narrows project will be included on the final CMIA list. Staff indicated that another list will be published on Monday, February 26<sup>th</sup>, 2007 and the CTC is scheduled to adopt the list on Wednesday, February 28<sup>th</sup>, 2007.

Commissioner Swanson asked staff if bonding for the SHOPP program could provide a vehicle to get the 101/580 project funded. He then asked if that project would be eligible for SHOPP bond proceeds. ED Steinhauser responded that it is not a SHOPP project.

Commissioner Dillon-Knutson wanted to know if TAM should be doing anything between now and next week to move this along. ED Steinhauser is working very closely with the economic community through former Supervisor Cynthia Murray to obtain endorsements from businesses. Marin's State legislated officials are talking with CTC Commissioners. ED Steinhauser along with Chair Kinsey have been engaged with CTC. Staff added that TAM is doing their part putting in for funding, which created this opportunity. Staff further believed that, with former Supervisor Murray's help, they are covered very well.

Vice Chair Boro asked staff to discuss the I-580 project's readiness. ED Steinhauser responded that there are several features with the 580 project. The project has been cleared environmentally and can be ready-to-go very quickly. On the vehicular traffic side, it widens the connector from Richmond/San Rafael Bridge connecting to 101, to funnel all the trade trips and worker trips into Marin and Sonoma County. This project received attention thanks to San Rafael Councilmember Paul Cohen and CTC Commissioner Bob Alvarado. TAM is looking at phasing this project. Other elements of the project include bike and pedestrian improvements as well as ramp crossings. Staff believes this project can be completed at a lower cost, if Caltrans supports the design exception of having an 8-foot shoulder instead of a 10-foot shoulder. If the Marin Sonoma Narrows gets funded, TAM will look at some other bond sources to fund this. If the Narrows does not get funded, TAM will be looking at the full amount for the 580 connector. Caltrans is interested in building this project and they want to add a third lane on the Richmond/San Rafael Bridge to enhance Fastrak.

#### **4. Commissioner Report**

##### **a. Executive Committee**

Vice Chair Boro noted that the Executive Committee discussed, at its February 14 meeting, Items 7, 8, 9 and 10 on this evening's agenda. In particular the Executive Committee reviewed the quarterly finance format as well as TAM's updated Work Plan. They reviewed and support the request to add a staff position to TAM's roster. Finally, they discussed and support the format of the draft 2006 TAM Annual Report.

##### **b. Marin-Sonoma Narrows Policy Advisory Groups – No report**

##### **c. SMART**

Vice Chair Boro reported that the Board held a meeting yesterday to discuss the Cal Park Tunnel Rehabilitation with respect to the funding arrangement. Several years ago it was agreed the project costs would be split 57% for County of Marin and 43% for SMART. As the project has moved forward and changes have been made with respect to strengthening the tunnel, the cost has increased and the SMART Board agreed the cost would be shared 50/50 between the County and SMART. Also, they discussed the Gap Closure project and rail engineering for SMART needing to sign off on final plans. One item in particular was the concern about removal and replacement of the railroad track. The resolution presented later tonight will provide more specificity in that it states that the rail line will be replaced and the right-of-way owned by SMART will not be transferred to Caltrans until improvements are made. The agreement calls for SMART to have the ability to review all changes to the project as the job unfolds. He further believed all is well now on this item.

#### **5. Consent Calendar**

- a. R.J. Ricciardi Contract Amendment. Recommendation: Authorize the ED to execute the second amendment to the Professional Service Contract with R.J. Ricciardi to conduct the FY 05-06 Fiscal Audit for an amount not-to-exceed \$19,000.
- b. Carter & Burgess – First Addendum to Professional Services Contract. Recommendation: Authorize the Chair to execute the First Addendum with the consulting firm of Carter & Burgess, Inc. for additional professional services related to the US101/I580 Greenbrae Corridor complex.

Chair Kinsey asked for a motion.

**Commissioner Gill moved and Commissioner Fredericks seconded, to adopt the Consent Calendar as presented. Motion carried unanimously.**

#### **6. Caltrans Report**

ED Steinhauser reported that tree removal and associated activity will continue until next week on the East Blithedale off ramp. They received federal approval of funds for the Gap Closure project. Caltrans will advertise the \$52.7 million Suello Hill project later in March. Staff noted that the detour continues out on Marin Rt. 1, which is scheduled to be completed in March, possibly earlier. Staff further announced that on March 21<sup>st</sup> there will be a Narrows Policy Advisory Group meeting following the SMART meeting in San Rafael.

## **7. Mid-Year Financial Report**

Li Zhang, Finance Director, explained that it is an informational item only. Staff is seeking any feedback/suggestions on the format and content of this item along with five attachments for TAM's consideration.

Commissioner Swanson appreciated the informative report from staff. He then talked about budget amendments and asked staff if budget modification or changes would only occur mid-year. ED Steinhauser explained that any major budget adjustment would be presented to the Board on an as needed basis.

Commissioner Swanson discussed executive funding agreements and wondered if MTC is dragging their feet on these funding agreements. ED Steinhauser responded that they are behind on all nine counties in terms of funding agreements. In regard to RM2, they are not dragging their feet. Staff is working to bill them monthly, preferably within the 30-day period, so they are not fronting the money. Staff further stated that there is no intentional dragging occurring, rather the funding agreements fell behind.

Vice Chair Boro asked staff to talk about Attachment 3 and how it will be used. Finance Director Zhang explained that Attachments 3 and 4 are there especially for the COC who is monitoring revenues and expenditures from Measure A. This provides all the details for COC, which they will review next Monday and any comments will be incorporated.

Chair Kinsey thanked staff and found this very informative. Also, this helps better understand the sources of Measure A funding. He believed by identifying those businesses it is helpful and gives an opportunity to be able to acknowledge and appreciate those businesses that are partners with TAM. He then discussed the bottom line of Attachment 1 where they budgeted \$25 million coming in and half way through the year they are at \$13.4 million, which indicated that they are ahead of schedule in receiving these funds. If they continue moving in this fashion, they will be significantly over their budgeted revenues. ED Steinhauser concurred. Chair Kinsey stated that is good news this year and it would be helpful to explain how that will be addressed as it relates to those funds. ED Steinhauser explained that staff must watch through the next quarter. Staff agreed this is really promising news to collect more sales tax than anticipated. Staff wants to watch the activity over the next six months. Also, an update to the Strategic Plan will occur. Staff added that 99% is from Measure A in regard to revenues coming in stronger. An update to the Strategic Plan will make recommendations to TAM on how or whether to assign the funds. Staff noted that the Strategic Plan last year indicated that revenue in the future is flat. They must address an inflationary or CPI growth in expenditures, so at a minimum the revenue increase will allow them to incorporate the CPI growth at least for the next several years to address natural increases and expenditures for all sponsors and programs. They must determine what they will actually receive and recommendations will be forwarded to TAM.

The item was opened to public input, and seeing no one wishing to speak, the public input was closed and TAM moved to the next item.

## **8. Work Plan Update**

ED Steinhauser indicated that this is an informational item only. Staff seeks concurrence that these updates will occur semi-annually and then made themselves available to answer any questions from the Board. Staff pointed out one change to the document under "Planning." Staff has been coordinating with County Public Works Department on the Nonmotorized Transportation Pilot Program and expects to take on additional work associated with educational programs adopted as part of that. The Public

Works Department is in a position to implement those countywide programs through both staffing and consultants, so that work will not be coming to TAM, at least for that pilot effort. Due to the speed of that nonmotorized pilot program and their current consultants and staffing, the Public Works Department is best to carry it out.

ED Steinhauser then mentioned that they are doing a tremendous amount of work that comes down from MTC and while the budget shows \$500,000 that is made available to them, they are probably doing as much as a million dollars worth of work. There are unfunded mandates that continue to come to TAM, and it is a concern because they are not being funded with MTC funds.

Commissioner Swanson pointed out that fees are not adequate to cover expenses and the indirect cost associated with the grant programs is becoming more and more of a burden. It is a significant financial issue and he encouraged that this topic be discussed during their workshop. They must reduce that cross subsidy. It is important that they stay on top. Also, he suggested talking about future roles of the organization at the workshop, as well, because it is important to have a roadmap or blue print in terms of where they are going.

Chair Kinsey announced that he has been talking with ED Steinhauser about the importance of defining the different roles between TAM and different jurisdictions, so that will be useful for their workshop discussion.

The item was opened to public input, and seeing no one wishing to speak, the public input was closed and TAM moved to the next item.

## **9. Accounting and Administrative Specialist Position**

ED Steinhauser summarized the staff report and recommended that TAM review and approve the specifications and salary range for the addition of a TAM Accounting and Administrative Specialist position and authorize staff to fill the position.

The item was opened to public input, and seeing no one wishing to speak, the public input was closed.

Chair Kinsey asked for a motion.

**Commissioner Swanson moved and Commissioner Lundstrom seconded, that TAM review and approve the specifications and salary range for the addition of a TAM Accounting and Administrative Specialist position and authorize staff to fill the position. Motion carried unanimously.**

## **10. Annual Report Format and Distribution Plan**

Li Zhang, Finance Director, summarized the draft of TAM's 2006 Annual Report and recommended that TAM review and approve the format and adopt the recommended printing plan for the reports and postcard.

Commissioner Maggiore asked staff to explain how the report is distributed. Finance Director Zhang responded that based on staff trying to reduce printing costs, the report will have some distribution directly, then a postcard announcing its availability on the TAM website will be more broadly distributed. Commissioner Maggiore appreciated the four strategies listed in the report, but suggested that some of

the photographs in the report should be reconsidered. She believed this is a great idea and felt it will be very powerful. She commended staff on a job well done.

ED Steinhauser noted that an 8-1/2" x 11" version will be available on the website. They had 750 printed last year, so this year they plan to order 1,000. Staff explained that with the demand last year they felt that is an appropriate number. She went on to mention distribution to cities and towns, community centers, etc.

Commissioner McGlashan discussed moving the symbol with the different modes of transportation to the front page. Finance Director Zhang agreed to incorporate that change in the final version.

Commissioner Belser liked the idea of the distribution. She then asked staff how many hits came from the card onto the website because she wanted to know the effectiveness of that method. ED Steinhauser responded that it is unknown, but staff hoped to be able to capture that information in the future.

Chair Kinsey suggested that the current list of directors be used. Finance Director Zhang responded in the affirmative.

The item was opened to public input, and seeing no one wishing to speak, the public input was closed.

Chair Kinsey asked for a motion.

**Commissioner Arnold moved and Commissioner Belser seconded, that TAM approve the format of TAM's 2006 Annual Report and adopt the recommended printing plan for the reports and postcard. Motion carried unanimously.**

#### **11. Resolution of Commitment to SMART – Puerto Suello Hill**

ED Steinhauser summarized the staff report and recommended that TAM approve the attached Resolution of Commitment to SMART on the condition that SMART approves the plans and specifications for the Hwy. 101 Gap Closure Segment 4 project over Puerto Suello Hill in the next week so as not to delay project advertisement.

ED Steinhauser stated that, since last April, staff incorporated about \$20 million worth of work into the Puerto Suello Hill original carpool lane project, including the bike/pedestrian path and soundwall project. The whole team of consultants has been working with her as well as partners at SMART to make this happen. In the last few weeks they have been able to receive final comments incorporated into the plans and working closely with Lillian Hames and her staff to get a sign off from SMART. Staff announced that SMART will sign those plans and that TAM staff will continue working with SMART staff through the course of the project. Once construction starts, any changes or activity around the SMART line is their right to approve and to be noticed in a timely manner. Staff is looking at regularly-scheduled meetings and Ms. Hames and TAM's ED are committed to making this work. ED Steinhauser thanked SMART for their involvement.

Chair Kinsey noted that this action would be the final acceptance from SMART to allow them to release the plans and advertise the project. ED Steinhauser added that the current goal is that on March 6th or 13<sup>th</sup> staff will go out to bid. In talking informally with contractors, this is a very good time to advertise. Staff hoped to have a bid within the funding plan they established. ED Steinhauser noted that the Board approval will be for a slightly revised resolution that includes an additional sentence recommended by

the SMART Board at their meeting on Wednesday that reads, *"BE IT RESOLVED that the railroad will be placed in its final location as per the attached plans and specifications with the intent of replacing the tracks by summer/fall 2008."* They did not want to require the contractor to do this work first, but they will try to see that this is completed in the summer/fall of 2008. Staff further agreed to take the necessary steps to make that happen.

Chair Kinsey asked for a motion.

**Commissioner McGlashan moved and Vice Chair Boro seconded, that TAM approve the attached Resolution of Commitment to SMART on the condition that SMART approves the plans and specifications for the Hwy. 101 Gap Closure Segment 4 project over Puerto Suello Hill in the next week so as not to delay project advertisement.**

The item was opened to the public.

David Schonbrunn, TRANSDEF, expressed concern for the language in the resolution. He said that this agreement has nothing in it for SMART. There is no consideration and it is obvious that SMART felt pressured to sign and this is not a respectful way to treat a sister agency. The idea of a resolution of commitment is the equivalent of promising to "love you in the morning." It is meaningless and looks to him as a carefully strategized method of leaving SMART hanging out to dry while stealing the funds set aside for replacing the tracks when there are cost overruns for the highway. The same game has occurred plenty of times. For example, the SMART soundwall and bike path being placed in a completely horrible location due to increased cost to Caltrans then TAM must act immediately. This is no way to do public policy and Caltrans does it every time when a project is associated with a major vote. TAM is constantly jammed with decisions that must be made now without discussion. He felt they are not treating TAM, as decision makers, respectfully either. He noted that this action before TAM tonight shows what the county's real values are once one strips away the veneer of sustainability. He further believed this is highway robbery.

The item was closed to the public.

Commissioner McGlashan asked staff to amend the Resolution by removing the word, *"if."* TAM and staff agreed to the amendment.

**Motion carried unanimously.**

## **12. Strategic Plan Amendment No. 2**

David Chan, Programming Manager, summarized the staff report and recommended that TAM amend the Revenues and Expenditure Element of the Strategic Plan regarding Strategy 3.1, Major Roads and Related Infrastructure for Marin County's Sir Francis and San Rafael's 4<sup>th</sup> Street Rehabilitation projects.

Chair Kinsey explained that in both these instances it is a matter of when the funds are allocated. It is not increasing the authorization or appropriation for the project for what is envisioned, just changing the sequencing. Programming Manager Chan concurred. Staff explained the amendment attached to the memo illustrates where the funds are coming from and it is a zero net gain.

The item was opened to public input, and seeing no one wishing to speak, the public input was closed.

Chair Kinsey asked for a motion.

**Commissioner McGlashan moved and Commissioner Dillon-Knutson seconded, that TAM Amend the Revenues and Expenditure Element of the Strategic Plan regarding Strategy 3.1, Major Roads and Related Infrastructure for Marin County's Sir Francis and San Rafael's Fourth Street Rehabilitation projects. Motion carried unanimously.**

**13. Measure A Allocation – Marin County's Sir Francis Drake Rehabilitation Project.**

Programming Manager Chan summarized the staff report and recommended that TAM allocate \$339,867 in Measure A funds from Strategy 3.1, Major Roads and Related Infrastructure to Marin County for the Sir Francis Drake Boulevard Rehabilitation project as the top priority in the West Marin Planning Area.

The item was opened to public input, and seeing on one wishing to speak, the public input was closed.

Chair Kinsey asked for a motion.

**Commissioner Arnold moved and Commissioner Dillon-Knutson seconded, that TAM allocate \$339,867 in Measure A funds from Strategy 3.1, Major Roads and Related Infrastructure to Marin County for the Sir Francis Drake Boulevard Rehabilitation project as the top priority in the West Marin Planning Area.**

Chair Kinsey noted that this is an incredibly challenging project. This area is the Yosemite Valley of Marin and there is a strong determination to improve the road for both safety and quality for not only automobiles, but for bicycles and pedestrians. He is encouraged by the level of interest they had and stated that there will be a very transparent public process. These funds will allow a lot of public process and development of the project before anything is ever built; it will take a lot of planning and the Chair appreciated the support.

**Motion carried unanimously.**

**14. Hwy 101 Update**

Connie Preston, Consultant, announced that the sign off on the Hwy 101 Puerto Suello Hill plans, by SMART, occurred and will be delivered tomorrow. Also, the Central San Rafael project work continues on schedule. They are continuing the widening on the left side of the highway, and building the 101/580 connector. For work on Highway 101 itself major traffic shifts will occur in late summer or early fall. They are looking at doing a tour for the Board of the project and staff will be sending out an email. The tentative date is March 23<sup>rd</sup> or 30<sup>th</sup> to tour the project. The Segment 4 bids open in May and construction starts in June. They are planning an open house sometime in early June similar with what they did for Segment 3 for the community to learn about the project.

TAM thanked Consultant Preston.

**15. Open time for items not on the agenda - None**

*By Order of Chair Kinsey, the TAM meeting adjourned at 8:22pm.*